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# **Notice of Allowability**

**Application No.**

10/092,061

**Examiner**

Jordan Hamann

**Applicant(s)**

KELLER-TUBERG, STEFAN

**Art Unit**

2616

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 5/08/06.
2. ☒ The allowed claim(s) is/are 1-5, 7-19, 21-33 & 35-37, now renumbered 1-34, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Chau T. Nguyen*  
**CHAU NGUYEN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bobby Slaton on 8/31/06.

2. The application has been amended as follows: Claims 1, 18 & 33 have been replaced.

Claim 1. An Internet Protocol (IP) multicast control system, comprising:

a first module facilitating IP multicast control connections between a first apparatus and a second apparatus;

the first apparatus further includes:

a module controlling a plurality of network elements of the first apparatus;

a module supporting communication with at least one subtending network node of the first apparatus; and

a module supporting communication with at least one Digital Subscriber Line (DSL) apparatus; and

each one of said modules is interconnected with each other one of said modules; and

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a second module enabling termination of a control protocol of the first module and supported at an Asynchronous Transfer Mode (ATM) layer of the second apparatus.

Claim 18. A communication apparatus, comprising:

a first network node including an Internet Protocol (IP) Gateway Module and a Digital Subscriber Line Multiplexer (DSLAM);

the DSLAM includes an IP layer;

the IP Gateway Module is a network element of the DSLAM; and

a second network node including a Gateway Control Protocol Terminating Module;

wherein the IP Gateway Module facilitates IP multicast control connections between the first network node and the second network node and wherein the Gateway Control Protocol Terminating Module enables termination of a control protocol of the IP Gateway Module and is supported at an Asynchronous Transfer Mode (ATM) layer of the second network node.

Claim 33. A method for facilitating Internet Protocol (IP) multicast services within a deployed network of network elements, comprising:

implementing, at an IP layer of a first network node, functionality controlling multicast connections between the first network node and a second network node an IP Gateway control protocol, wherein the first network node includes a Subscriber Line

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Multiplexer (DSLAM), the IP layer is integral with the DSLAM, and implementing said functionality controlling multicast connections includes implementing said functionality at the IP layer of the DSLAM; and

implementing, at an Asynchronous Transfer Mode (ATM) layer of the second network node, functionality terminating the IP Gateway control protocol.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordan Hamann whose telephone number is (571) 272-8564. The examiner can normally be reached on Monday-Thursday 8:30-5:30 and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JJH